

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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| In the Matter of |) | |
| |) | |
| Telecommunications Relay Services |) | |
| and Speech-to-Speech Services for |) | |
| Individuals with Hearing and Speech |) | CG Docket No. 03-123 |
| Disabilities |) | |
| |) | |
| Petition for Rulemaking to Mandate |) | |
| Captioned Telephone |) | |
| <hr/> |) | |

COMMENTS OF SPRINT NEXTEL CORPORATION

Sprint Nextel Corporation ("Sprint"), on behalf of the Telecommunications Relay Services ("TRS") operations of its subsidiary, Sprint Communications Company L.P., hereby respectfully submits its comments on the Petition for Rulemaking filed jointly by 13 organizations that represent the interests of deaf, hard-of hearing and late-deafened Americans. The petitioners request that the Commission "initiate a rulemaking for the purposes of mandating captioned telephone relay service (captioned telephone) nationwide and approving Internet Protocol (IP) captioned telephone for cost recovery through the Interstate Telecommunications Relay Service (TRS) Fund." Petition at 1 (emphasis in original). Sprint strongly supports Petitioners' request here and urges the Commission to issue a Notice of Proposed Rulemaking as quickly as possible.

The Commission's decision declaring that "captioned telephone VCO [Voice Carry Over] service to be a type of TRS" and that providers of the service were "eligible to recover

their costs in accordance with section 225 of the Communications Act,” *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, 18 FCC Rcd 16121 ¶1 (2003) (*Declaratory Ruling*), was based, in part, on the Commission’s view that the then-incipient service would prove to be highly beneficial to “users who become hearing impaired later in life” and who have “traditionally not been well serviced by current TRS options.” *Id.* at 16127 ¶16. The Commission’s view here has been confirmed by the marketplace. The Petitioners have explained (Petition at 9) that

[c]aptioned telephone relay service has already proven its ability to provide the target population with the telephone experience that best approximates that to which they were accustomed before losing their hearing. The enthusiasm and intensity with which consumers have fought to obtain – and sometimes retain – captioned telephone in their home states is testament to the extraordinary ways in which these services have improved the lives of people with hearing loss.

Moreover, usage of Captel service is increasing. The number of compensable minutes per month being submitted by Sprint, one of the two TRS providers who have elected to enter into an agreement with Captel, Inc. for the provision of captioned telephone service, to the States where it provides Captel service and to NECA has been increasing steadily. Sprint expects this trend to continue especially with the aging of the baby boom generation and the likelihood that many baby boomers will experience some hearing loss as they grow older.

Unfortunately, as Petitioners point out, captioned telephone service is not uniformly available throughout the United States. This is so, because like traditional TRS, the States are responsible for the costs of intrastate captioned telephone service and many States, because of budgetary constraints, may not be willing to fund the service out of general revenues or to increase the TRS surcharge currently being paid by their residents either directly or indirectly,

i.e., through a surcharge imposed on carriers providing service in their States, so as to enable the offering of captioned telephone service. Petition at 14. And, given that the service is not mandatory, a State can choose not to take on such additional costs or ask its citizens to do so by electing not to include captioned telephone service in the array of TRS services it makes available to its residents.

Plainly the only way for the Commission to ensure that captioned telephone service is offered throughout the United States is to mandate the provision of the service. Sprint, however, does not in any way suggest that the Commission must, or should mandate, the offering of captioned telephone service. Rather Sprint's point here is that based on demographic trends in the United States and the likelihood that demand for captioned telephone service will increase significantly in the coming decades, now is the time to examine the issue of making captioned telephone service a mandatory TRS offering. Such examination will enable the Commission to determine whether the benefits of mandating captioned telephone service outweigh the costs that such mandate would impose on States and ratepayers generally.

Respectfully submitted,

SPRINT NEXTEL CORPORATION

A handwritten signature in black ink, appearing to read 'Michael B. Fingerhut', is written over a horizontal line.

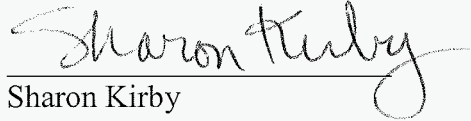
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December 30, 2005

CERTIFICATE OF SERVICE

I hereby certify that, on this 30th day of December, 2005, copies of Sprint Nextel's Comments in WC Docket No. 03-123 were sent by e-mail or First Class Mail, postage prepaid, to the parties listed below.


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